

rolled Bills, beg to report we have carefully examined, compared and read Senate Bills Nos. 12, 29 and 26, and find same correctly enrolled.

WESTERFELD, Chairman.

FIFTEENTH DAY

(Continued)

(Monday, October 25, 1937)

The Senate met at 10 o'clock a. m., on expiration of the recess, and was called to order by the President.

Reports of Standing Committees

By unanimous consent, reports on House Bills Nos. 81, 142, 148, 163, and H. C. R. No. 29, H. C. R. No. 44 and S. C. R. No. 14, were submitted by the chairmen of the committees to which they were referred.

[See appendix for reports in full.]

House Bill No. 133 on Passage to Third Reading

The Senate resumed consideration of pending business, same being H. B. No. 133, re-allocating the school aid fund provided for in S. B. No. 185, Regular Session of the 45th Legislature, on its passage to third reading; the bill having been read second time on the calendar day of Saturday, October 23, 1937.

(Senator Spears in the Chair.)

Senator Van Zandt offered the following amendment to the bill:

Amend Committee Substitute to H. B. 133 by striking out the words and figures, "Two Million One Hundred Thousand, (\$2,100,000.00) Dollars," and substituting in lieu thereof the words and figures "Two Million Two Hundred Thousand (\$2,200,000.00) Dollars," and by striking out the words and figures "Six Hundred Seventeen Thousand (\$617,000.00) Dollars," and substituting in lieu thereof the words and figures, "Six Hundred Twenty Thousand (\$620,000.00) Dollars," and by striking out the words and figures, "One Million Eight Hundred Eighty-three Thousand (\$1,883,000.00) Dollars," and substituting in lieu thereof the words and figures, "One Million

Seven Hundred Eighty Thousand (\$1,780,000.00) Dollars."

(President in the Chair.)

The amendment was adopted.

Senator Cotten offered the following amendment to the bill:

Amend H. B. No. 133 as substituted as follows:

By striking out the word "year" on page 17, line 4, following the words and figures "\$2.50 per" and insert in lieu thereof the word "month".

The amendments was adopted.

The bill was passed to third reading.

House Bill No. 133 on Third Reading

Senator Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended, and that H. B. No. 133 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Beck	Oneal
Brownlee	Pace
Burns	Rawlings
Collie	Redditt
Cotten	Shivers
Davis	Small
Head	Stone
Hill	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

Nays—4

Aikin	Roberts
Holbrook	Spears

The President then laid the bill before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—23

Beck	Cotten
Brownlee	Davis
Burns	Head
Collie	Hill

Lemens	Small
Nelson	Stone
Newton	Sulak
Oneal	Van Zandt
Pace	Westerfeld
Rawlings	Winfield
Redditt	Woodruff
Shivers	

Nays—8

Aikin	Neal
Holbrook	Roberts
Isbell	Spears
Moore	Weinert

Bills and Resolutions Signed

The President signed, in the presence of the Senate, after giving due notice thereof, the following bills and resolutions:

H. B. No. 71, "An Act amending Article 1645, Revised Civil Statutes of Texas, 1925, as amended by Chapter 15, Acts of the Forty-second Legislature, Second Called Session, relative to the compensation and salary to be paid County Auditors in certain counties, and declaring an emergency."

H. B. No. 121, "An Act to amend Sections 3, 6, 7, 8, 9, 10, 13, 18, 20, and 24 of Article 2997a of the Revised Civil Statutes of Texas, 1925, and being Chapter 33 of the General and Special Laws of the Forty-first Legislature, Fourth Called Session by providing that the commissioners' court of any county in the State of Texas may adopt for use in elections and primary elections in at least three of the larger voting precincts in voting strength in said county any kind of voting machine approved by the Secretary of State and may adopt said voting machines at any time for use in such additional voting precincts in the county as it may deem advisable, and thereupon such voting machines shall be used at any and all elections and primary elections, municipal, county, district or State; and all school and bond elections; providing for the payment of voting machines in such county; providing that such commissioners court is authorized to issue bonds, certificates of indebtedness, or other obligations to be used for the purpose of paying for voting machines; providing that such bond, certificates of indebtedness, or other obligations, may be issued with or without interest, pay-

able at such time or times, as the commissioners' court may determine but shall never be issued nor sold for less than par; providing that the necessary tax shall be set aside at the time of creating such obligations so as to meet the debt provisions of the Constitution; etc., and declaring an emergency."

H. B. No. 140, "An Act declaring it unlawful to take, hunt, or kill deer or wild turkey in Fannin County for a period of five years; prescribing a penalty, and declaring an emergency."

S. C. R. No. 4, A resolution granting B. K. Brewer and Mrs. B. K. Brewer permission to sue the State of Texas and the State Highway Department.

S. C. R. No. 7, Authorizing Mrs. John Luttmmer, a widow, acting individually and as guardian ad litem for Leonard Luttmmer, a minor, to sue the State.

S. B. No. 9, "An Act authorizing County Commissioners' Courts to lease or rent office space for the purpose of aiding and cooperating with the agencies of the State and Federal governments engaged in the administration of relief of the unemployed and needy people in the State of Texas, and to pay the regular monthly utility bills for such offices, such as lights, gas and water; to pay for such leases, rentals and utilities out of the County General Fund when in the opinion of a majority of the Commissioners' Court such is essential to a proper administration of such agencies of either the State or Federal governments; providing for the validation of all actions, proceedings, orders and contracts for such rental, lease or utility bills heretofore made by any County Commissioners' Courts; providing that if any part in this Act shall ever be held unconstitutional, such holding shall not affect the validity of the remaining portions of the Act; and declaring an emergency."

S. B. No. 13, "An Act amending Article 6077-C of the Revised Civil Statutes of the State of Texas (Acts 1933, 43rd Legislature, First Called Session, page 275, Chapter 110) by clarifying and enlarging the description in Section 4 and adding Section 5-A, to remove the additional Public

School lands from sale and lease, and Section 6-A providing for the management of public donations by the Texas State Parks Boards to acquire acreage within the area, and giving the Board the power to condemn such lands and use the public funds for the purchase of such lands for park purposes, and declaring an emergency."

Message From the House

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas, October 25, 1937.

Hon. Walter F. Woodul, President
of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolution:

H. C. R. No. 50, Urging the Federal Government to establish a cotton research laboratory or Cotton Research Institute.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Motion To Take Up House Bill No. 20

Senator Moore moved that the regular order of business be suspended, to take up, and have placed on its second reading and passage to third reading:

H. B. No. 20, A bill to be entitled "An Act levying additional taxes upon the sale of alcoholic beverages in this State; levying a gross proceeds tax of ten per cent (10%) upon sales of liquor under a Dispenser's Permit; providing the manner of the collection of said tax; fixing penalties for failure to pay the State the taxes due thereon; defining the powers and duties of the Texas Liquor Control Board with respect to the collection of said tax; authorizing the issuance of a Dispenser's Permit for the sale of diluted distilled spirits; fixing the qualifications of persons entitled to hold such permits; authorizing the Texas Liquor Control Board or the Administrator to cancel or suspend the same for violations; fixing the fees for such permits; providing for local option elections to legalize or prohibit the issuance of such permits; allocating fees and revenues derived

from said permits to the Old Age Assistance Fund; excepting the holders of Dispenser's Permits from the prohibitions contained in Section 3(a) of Article I of the Texas Liquor Control Act; amending the Texas Liquor Control Act by adding thereto a new section, and declaring an emergency."

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—19

Brownlee	Small
Davis	Spears
Holbrook	Stone
Moore	Sulak
Newton	Van Zandt
Pace	Weinert
Rawlings	Westerfeld
Redditt	Winfield
Roberts	Woodruff
Shivers	

Nays—11

Aikin	Hill
Beck	Isbell
Burns	Lemens
Collie	Nelson
Cotten	Oneal
Head	

Present—Not Voting

Neal

Senate Concurrent Resolution No. 14

Senator Woodruff, by unanimous consent, offered the following resolution:

Whereas, Charles Workman, regularly employed by the State Highway Department as a highway maintenance laborer, and while in the course of such employment was, on or about the 25th day of September, A. D. 1937, knocked down and run over by a truck being operated by a fellow servant, crippled, and permanently injured; and

Whereas, The said Charles Workman has no other recourse by which to recoup his damages; now, therefore, be it

Resolved by the Senate of the Legislature of Texas, the House of Representatives concurring, That the said Charles Workman do have his suit against the State of Texas, and her State Highway Commission for the recovery of his justiciable damages by suit in any court of competent jurisdiction in this State, to which

action and suit the State of Texas does hereby consent; be it further

Resolved, That the State Highway Commission be and the same is hereby authorized and directed to pay out any funds accruing to the Highway Commission the amount of damages and costs adjudged against the State of Texas and the Highway Commission by any such court of competent jurisdiction through its final order, decree and judgment.

The resolution was read and referred to the Committee on State Affairs.

Senate Concurrent Resolution No. 10

The President laid before the Senate, for consideration at this time:

S. C. R. No. 10, Requesting Southwest Conference Association to admit Texas Technological College to membership in said association.

The resolution was read.

Senator Collie offered the following amendment to the resolution:

Amend S. C. R. No. 10 by adding the following at the end of the 6th paragraph, after the word "Conference" and before the word "now."

"Whereas, Hardin-Simmons University at Abilene, Texas, is one of the largest denominational institutions in the State with a large enrollment and has always excelled in sports and inter-collegiate activities, as well as other scholastic attainments and is eminently suited and qualified to be a member of the Southwest Conference, and amend the resolving clause by adding the following after "Texas Technological College of Lubbock, Texas": "Hardin-Simmons University at Abilene, Texas." and change the words "College" to "Colleges" and "member" to "members."

Senator Nelson raised the point of order that the amendment is not germane to the resolution and changes its purpose.

The President overruled the point of order.

The amendment was adopted.

Senator Spears offered the following amendment to the resolution:

Amend S. C. R. No. 10 by adding the following at the end of the sixth paragraph:

"Whereas, St. Mary's University of San Antonio, Texas, is a senior class college of the highest type, doing work in law, engineering, business administration and arts and sciences, and

Whereas, St. Mary's University of San Antonio has an excellent and enviable reputation in interscholastic contests, debate, dramatics, and in scholastic attainments, and

Whereas, In football St. Mary's University of San Antonio has played with such colleges and universities as the University of San Francisco, Western Maryland, United States Marines, Catholic University of Washington, D. C., Loyola, Washburn College, and has and does again this year play members of the Southwest Conference, such as Rice Institute of Houston, Texas, and

Whereas, St. Mary's University of San Antonio, Texas has always made an excellent and creditable showing against all of said teams defeating many, and

Whereas, By reason of its location in the State, and its standing not only in the world of sports but in scholastic attainment, said St. Mary's University of San Antonio, Texas, should be admitted into the Southwest Conference, and by virtue of its activities and attainments is eminently fitted and qualified for such membership."

Amend the resolving clause by adding: "St. Mary's University of San Antonio, Texas.

The amendment was adopted.

Senator Moore moved to table the resolution as amended.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—12

Aikin	Moore
Beck	Pace
Burns	Roberts
Cotten	Weinert
Holbrook	Westerfeld
Isbell	Woodruff

Nays—13

Brownlee	Collie
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Head	Small
Lemens	Spears
Nelson	Stone
Newton	Sulak
Rawlings	Winfield
Redditt	

Present—Not Voting

Hill	Neal
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Absent

Davis	Shivers
Oneal	Van Zandt

Senator Pace moved to reconsider the vote by which the amendment by Senator Collie was adopted.

The motion to reconsider was lost.

Question recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—14

Brownlee	Rawlings
Collie	Redditt
Head	Small
Lemens	Spears
Nelson	Stone
Newton	Westerfeld
Oneal	Winfield

Nays—13

Aikin	Moore
Beck	Pace
Burns	Roberts
Cotten	Sulak
Davis	Weinert
Holbrook	Woodruff
Isbell	

Present—Not Voting

Hill	Neal
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Absent

Shivers	Van Zandt
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Senate Concurrent Resolution No. 8

The President laid before the Senate, for consideration at this time, the following resolution:

S. C. R. No. 8, Granting L. M. Anderson permission to sue the State of Texas and the State Highway Department.

The resolution was read, and was adopted.

Senate Bill No. 14 on Second Reading

The President laid before the Senate, on its second reading and passage to engrossment:

S. B. No. 14, A bill to be entitled "An Act creating a Delinquent Tax Board to exist for a period of three years, prescribing the duties of said Board and the duties and authority of delinquent deputy tax collectors and declaring an emergency."

The bill was read second time.

On motion of Senator Stone, it was ordered that the word "three" be changed to "two" wherever it appeared in the bill.

Senator Hill raised a point of order on further consideration of the bill, on the ground that it relates to a subject not submitted for consideration at the current called session of the Legislature.

The President overruled the point of order.

Senator Hill moved that the bill be tabled.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—15

Aikin	Oneal
Beck	Roberts
Burns	Spears
Cotten	Weinert
Hill	Westerfeld
Holbrook	Winfield
Isbell	Woodruff
Newton	

Nays—11

Brownlee	Pace
Collie	Rawlings
Davis	Stone
Head	Sulak
Neal	Van Zandt
Nelson	

Absent

Lemens	Shivers
Moore	Small
Redditt	

(Senator Van Zandt in the Chair.)

Senate Bill No. 15 on Second Reading

The Presiding Officer laid before the Senate, on its second reading and passage to engrossment:

S. B. No. 15, A bill to be entitled "An Act to repeal the Bosque County Special Road Law, being Chapter 33, page 101, Special Laws of the Regular Session of the Thirty-third Legislature, and the Amendments to said laws passed by Chapter 17, page 328, of the Local and Special Laws of the First Called Session of the Thirty-fifth Legislature; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill No. 15 on Third Reading

Senator Head moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 15 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Neal	Westerfeld
Nelson	Winfield
Newton	Woodruff

Absent

Moore

The Presiding Officer then laid S. B. No. 15 before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Bill No. 19 on Second Reading

The Presiding Officer laid before the Senate, on its second reading and passage to engrossment:

S. B. No. 19, A bill to be entitled "An Act amending Article 1645 of the Revised Civil Statutes of Texas of 1925, as amended by Chapter 15, Acts of the Forty-second Legislature, Second Called Session, amended by House Bill No. 25, First Called Session

of the Forty-fifth Legislature, Section 5, Article 1645d, fixing the compensation of County Auditors in every County having a population of not less than 50,030 and not more than 60,000 inhabitants according to the last preceding Federal Census, and prescribing how same shall be paid; repealing all laws in conflict therewith; and declaring an emergency."

The bill was read second time.

On motion of Sen. Head, the bill was tabled subject to call.

Time for Executive Session Set

Sen. Oneal asked unanimous consent that the Senate go into executive session at 12 o'clock m. today.

There was no objection offered, and it was so ordered.

Senate Bill No. 27 on Second Reading

The Presiding Officer laid before the Senate, on its second reading and passage to engrossment:

S. B. No. 27, A bill to be entitled "An Act to be known as the 'State Soil Conservation Act,' reciting the legislative determination and declaration of policy; describing the consequences of soil erosion and the depletion of the fertility of the soil; reciting appropriate corrective methods; defining certain words and phrases used in this Act; establishing the State Soil Conservation Board; establishing five (5) State Districts from which members of the State Soil Conservation Board are to be elected; defining the powers and duties of said members acting through and for said State Soil Conservation Board; providing for the establishing of County Soil Conservation Advisory Committees; defining the duties of the members thereof; providing for the creation of Soil Conservation Districts; providing the manner of selection of the Supervisors of said Soil Conservation Districts; etc., and declaring an emergency."

(President in the Chair.)

Senator Davis moved that Senate Rule No. 31a be suspended to permit consideration of the bill at this time.

The motion prevailed by the following vote:

Yeas—29

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

Nays—1

Weinert

Absent

Moore

The bill was read second time.

On motion of Senator Davis, the bill was tabled subject to call.

Senate Bill No. 32 on Passage to Engrossment

Senator Westerfeld called from the President's table, on its passage to engrossment (the bill having been tabled subject to call on October 21, 1937):

S. B. No. 32, A bill to be entitled "An Act to amend Article 1839, Chapter 3, Title 39 of the Revised Civil Statutes as amended by the Acts of the Regular Session of the Forty-third Legislature of the State of Texas, so as to fix the time for filing the transcript and statement of facts in the Court of Civil Appeals and providing for an extension of such time for cause shown and declaring an emergency."

The President laid the bill before the Senate, on its passage to engrossment.

Senator Westerfeld offered the following amendment to the bill:

Amend Senate Bill No. 32 by striking out all below the enacting clause and insert in lieu thereof the following:

"Section 1. That Article 2092 of Chapter 6, Revised Civil Statutes of 1925, be and the same is hereby amended so as to add thereto Section 32 to read as follows:

Section 32. In appeal or writ of error from courts to which this chapter applies the appellant or plaintiff in error shall file the transcript with the clerk of the Court of Civil Appeals within ninety days from the final judgment or order overruling the motion for a new trial or service of the writ of error; provided by motion filed before, at or within a reasonable time not exceeding fifteen days after the expiration of such ninety day period, showing good cause to have existed within such ninety day period why said transcript could not be so filed, the Court of Civil Appeals may permit the same thereafter to be filed upon such terms as it may prescribe.

Section 2. Nothing herein contained shall be construed as to repeal Article 1839 Revised Civil Statutes of 1925 as amended by the Acts of the Forty-third Legislature.

Section 3. The fact that confusion exists as to when transcripts may be filed in cases appealed from the courts to which Section 6 of the Revised Civil Statutes of 1925 as amended applies, and Article 1839 of the Revised Civil Statutes of 1925 as amended relating to the time of filing transcripts in the Courts of Civil Appeals, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and said rule is hereby suspended and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Amend S. B. No. 32 by striking out the enacting clause and insert in lieu thereof the following:

S. B. No. 32, A bill to be entitled "An Act amending Article 2092 of Chapter 6 of the Revised Civil Statutes of 1925 as amended, by adding thereto a Section to be numbered Section 32, fixing the time for filing the transcript in the Court of Civil Appeals in cases appealed from the courts to which said Chapter 6 applies, and providing for an extension of time under certain circumstances, and declaring an emergency."

Question—Shall the amendment be adopted?

On motion of Senator Westerfeld, the bill was tabled subject to call.

Senate Bill No. 23 on Second Reading

The President laid before the Senate, on its second reading and passage to engrossment:

S. B. No. 23, A bill to be entitled "An Act making an appropriation of the sum of seven hundred and ninety thousand (\$790,000.00) dollars, or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to pay the apportionment for the period now due for the balance of the State fiscal year ending August 31, 1936, and the State fiscal year ending August 31, 1937, to all counties in which the county officers are compensated on the basis of a salary, as provided for in Section 6, Senate Bill No. 5, enacted at the Second Called Session of the Forty-fourth Legislature, and also for the period now due the district attorneys, criminal district attorneys, or county attorneys performing the duties of district attorneys, from January 1, 1936, to August 31, 1937, as provided in Subsection b, Section 13, of Senate Bill No. 5, enacted at the Second Called Session of the Forty-fourth Legislature, and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill No. 23 on Third Reading

Senator Pace moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 23 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Beck	Lemens
Brownlee	Moore
Burns	Neal
Collie	Newton
Cotten	Pace
Davis	Rawlings
Head	Redditt
Hill	Spears
Holbrook	Stone
Isbell	Sulak

Van Zandt
Westerfeld

Winfield
Woodruff

Nays—2

Aikin

Roberts

Present—Not Voting

Nelson
Oneal

Weinert

Absent

Shivers

Small

The President then laid the bill before the Senate, on its third reading and final passage.

The bill was read third time.

Senator Aikin raised a point of order, on further consideration of the bill, on the ground that it relates to a subject not submitted for consideration at the current session of the Legislature.

The President overruled the point of order.

Senator Pace moved the previous question on the passage of the bill, and the motion was duly seconded.

Yeas and nays were demanded, and the main question was ordered by the following vote:

Yeas—17

Brownlee
Burns
Davis
Holbrook
Isbell
Lemens
Moore
Neal
Newton

Oneal
Pace
Redditt
Spears
Sulak
Van Zandt
Westerfeld
Woodruff

Nays—9

Aikin
Beck
Collie
Hill
Rawlings

Roberts
Stone
Weinert
Winfield

Present—Not Voting

Nelson

Absent

Cotten
Head

Shivers
Small

Senator Aikin raised a point of order against the main question being ordered at this time, on ground that free debate and discussion has not

been allowed on the bill, as provided for in the State Constitution.

The President overruled the point of order.

The bill then was passed by the following vote:

Yeas—22

Brownlee	Newton
Burns	Oneal
Collie	Pace
Cotten	Rawlings
Davis	Redditt
Head	Spears
Hill	Sulak
Holbrook	Van Zandt
Isbell	Westerfeld
Lemens	Winfield
Moore	Woodruff

Nays—4

Aikin	Roberts
Beck	Weinert

Present—Not Voting

Nelson

Absent

Neal	Small
Shivers	Stone

Senate Bill No. 33 on Second Reading

The President laid before the Senate, on its second reading and passage to engrossment:

S. B. No. 33, A bill to be entitled "An Act amending Chapter 98, page 281, Acts of the Forty-third Legislature, First Called Session, as amended in Chapter 165, page 415, Acts of the Forty-fourth Legislature, providing for the collection of taxes due the State of Texas and the various political subdivisions thereof, providing for the transfer of tax liens to certain persons, firms or corporations, providing for the subrogation of all rights, titles, interests and liens of the taxing agency to which such taxes are paid; and declaring an emergency."

On motion of Senator Woodruff, and by unanimous consent, Senate Rule 31a was suspended, to permit consideration of the bill at this time.

The bill was read second time.

The Senate refused to pass the bill to third reading.

Executive Session

At 12 o'clock m., the President announced that the time set for an executive session of the Senate had arrived and ordered all those not entitled to attend the executive session to retire from the Senate Chamber.

Report of Confirmation of Appointments

At the conclusion of the executive session, the Secretary of the Senate reported that the following report of the Committee on Nominations of the Governor had been adopted by the Senate:

Committee Room,
October 21, 1937.

Hon Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Governor's Nominations, to whom was referred the following appointments, have had same under consideration, and I, as Chairman of said Committee, am instructed to recommend that they be in all things confirmed:

To be Judge of the Special 9th District Court: E. T. Murphy, of Polk County.

To be members of the Board of Directors of the Pease River Flood Control District: W. O. Jones, of Paducah, Cottle County; C. E. Carlock, of Chillicothe, Hardeman County; Fay Eggleston, of Vernon, Wilbarger County, (all reappointments.)

To be members of the State Industrial Commission: Clarence R. Miller, of Dallas, Dallas County, to represent employers of labor (reappointment); George W. Fisher, of Fort Worth, Tarrant County, to represent employees of labor (reappointment); Everett L. Looney, of Austin, Travis County, (reappointment); Judge Nat Harris, of Waco, McLennan County; O. P. Norman, of Kaufman, Kaufman County, (the last three to represent the general public.)

To be members of the San Jacinto State Park Commission: Miss Mary Tod, of Houston, Harris County; J. Perry Moore, of Houston, Harris County; William E. Kendall, of Houston, Harris County, (all reappointments.)

To be the Executive Secretary of the Teachers Retirement System of

Texas: S. M. Brown, (appointed by the State Board of Trustees of the Teachers Retirement System of Texas).

To be Notaries Public: All names submitted.

Respectfully submitted,
ONEAL, Chairman.

At Ease

Senator Rawlings moved that the Senate recess to 2 o'clock p. m. today, and the motion was lost.

On motion of Senator Pace, the Senate, at 12:20 o'clock p. m., stood at ease subject to the call of the President.

Afternoon Session

The President called the Senate to order at 1:30 o'clock p. m.

House Bill No. 110 on Second Reading

On motion of Senator Holbrook, and by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to third reading:

H. B. No. 110, A bill to be entitled "An Act amending Article 1048 of the Revised Civil Statutes of Texas, 1925."

The President laid the bill before the Senate.

On motion of Senator Holbrook, and by unanimous consent, Senate Rule 31a was suspended, to permit consideration of the bill at this time.

The bill was read second time and was passed to third reading.

House Bill No. 110 on Third Reading

Senator Holbrook moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 110 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Collie
Beck	Cotten
Brownlee	Davis
Burns	Head

Hill	Roberts
Holbrook	Shivers
Isbell	Small
Lemens	Spears
Neal	Stone
Nelson	Sulak
Newton	Van Zandt
Oneal	Westerfeld
Pace	Winfield
Rawlings	Woodruff
Redditt	

Absent

Moore	Weinert
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The President then laid the bill before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

Absent

Moore	Weinert
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House Bill No. 130 on Second Reading

On motion of Senator Holbrook and by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to third reading:

H. B. No. 130, A bill to be entitled "An Act amending Section 3 of the Uniform Narcotic Drug Act, as enacted by the Forty-fifth Legislature at its Regular Session in 1937 by House Bill No. 440, so as to require any apothecary to obtain a license before supplying narcotic drugs, and by amending said Act further by adding a new section to be numbered Section 24 (a) providing a conviction under said Act may be had on uncorroborated testimony of an accomplice, and declaring an emergency."

The President laid the bill before the Senate.

On motion of Senator Holbrook and by unanimous consent, Senate Rules 31a and 48 were suspended severally, to permit consideration of the bill at this time.

The bill was read second time and was passed to third reading.

House Bill No. 130 on Third Reading

Senator Holbrook moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 130 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

Absent

Moore Weinert

The President then laid the bill before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

Absent

Moore Weinert

House Bill No. 62 on Second Reading

On motion of Senator Stone and by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to third reading:

H. B. No. 62, A bill to be entitled "An Act authorizing, consenting to and granting permission to John Wiese, Lonnie Wiese and Tom Wiese to sue the State of Texas or Highway Department for damage to their land, and declaring an emergency."

The President laid the bill before the Senate.

On motion of Senator Stone and by unanimous consent, Senate Rule 31a was suspended, to permit consideration of the bill at this time.

The bill was read second time and was passed to third reading.

House Bill No. 62 on Third Reading

Senator Stone moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 62 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

Absent

Moore Weinert

The President then laid the bill before the Senate, on its third reading and final passage.

The bill was read third time and was passed.

House Bill No. 113 on Second Reading

On motion of Senator Winfield, and by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to third reading:

H. B. No. 113, A bill to be entitled "An Act granting Frank Dees and Mrs. George Armstrong, and husband George Armstrong, of Brewster County, Texas, permission to bring suit against the State of Texas and the State Highway Department, in the District Court of Brewster County, Texas, for damages sustained to their property by the construction of roadbed and culverts adjacent to their land upon State Highway Number 3, in Brewster County, Texas; impounding water on such land, washing and destroying said land; providing that such suit may be filed within two (2) years after this Act takes effect; providing for the method of serving process and for procedure governing the trial and determination of such suit, and declaring an emergency."

The President laid the bill before the Senate.

On motion of Senator Winfield and by unanimous consent, Senate Rule 31a was suspended, to permit consideration of the bill at this time.

The bill was read second time and was passed to third reading.

House Bill No. 113 on Third Reading

Senator Winfield moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 113 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Isbell
Beck	Lemens
Brownlee	Neal
Burns	Nelson
Collie	Newton
Cotten	Oneal
Davis	Pace
Head	Rawlings
Hill	Redditt
Holbrook	Roberts

Shivers
Small
Spears
Stone
Sulak

Van Zandt
Westerfeld
Winfield
Woodruff

Absent

Moore

Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill No. 163 on Second Reading

On motion of Senator Woodruff and by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to third reading:

H. B. No. 163, A bill to be entitled "An Act providing the time when mourning doves and white winged doves may be shot in Collin, Dallas, Delta, Denton, Franklin, Haskell, Hopkins, Hunt, Jack, Johnson, Kaufman, Montague, Parker, Rockwall, and Wise Counties making certain exceptions; fixing the bag limit and possession limit of same; fixing the hours for shooting and making regulations for shotguns that may be used for shooting migratory birds and other game birds; providing a penalty for the violation of any such regulations; repealing all laws in conflict with any Section of this Act; and declaring an emergency."

The President laid the bill before the Senate and it was read second time.

Senator Woodruff offered the following (committee) amendment to the bill:

Amend H. B. No. 163, by striking out the words and figures "October 31st," at the end of Section 1, and substituting in lieu thereof the words and figures:

"November 15,"

The (committee) amendment was adopted.

The bill was passed to third reading.

House Bill No. 163 on Third Reading

Senator Woodruff moved that the constitutional rule requiring bills to

be read on three several days be suspended and that H. B. No. 163 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Beck	Oneal
Brownlee	Pace
Burns	Rawlings
Collie	Redditt
Cotten	Roberts
Davis	Shivers
Head	Small
Hill	Spears
Holbrook	Stone
Isbell	Sulak
Lemens	Van Zandt
Moore	Weinert
Neal	Westerfeld
Nelson	Winfield
Newton	Woodruff

Nays—1

Aikin

The President then laid before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Neal	Westerfeld
Nelson	Winfield
Newton	Woodruff
Oneal	

Nays—2

Aikin

Moore

Bills and Resolution Signed

The President signed, in the presence of the Senate, after giving due notice thereof, the following bills and resolution:

S. B. No. 11, "An Act validating Independent School District elections assuming indebtedness theretofore apportioned against such districts or

a part thereof as a result of its segregation from another Independent School District whether the indebtedness so assumed be the identical proportionate part of the indebtedness owed by the original district at the time of its segregation or an equal amount of indebtedness incurred by a portion of the original district after such segregation; declaring the indebtedness thus assumed to be indebtedness of such district; imposing duty upon the governing boards of districts assuming such indebtedness to levy and collect taxes to pay principal and interest; validating proceedings heretofore had for the issuance of bonds to refund indebtedness so assumed; declaring that such refunding bonds when issued, approved by the Attorney General, and registered by the Comptroller, shall constitute legal and binding obligations of the district; providing that this Act shall not affect any litigation pending at the time the Act becomes effective; authorizing the issuance by certain school districts of interest bearing time warrants for the purpose of paying expenses incident to refunding outstanding bonds; and declaring an emergency."

H. C. R. No. 49, Declaring the Legislative intent in enacting the bill providing for the maximum compensation for county treasurers in S. B. No. 5, passed at the Second Called Session, Forty-fourth Legislature.

H. B. No. 87, "An Act amending Article 7059, Revised Civil Statutes of 1925, as amended by Acts of 1936 of the Forty-fourth Legislature, Third Called Session, page 2040, Chapter 495, Article 4, Section 2 and repealing all laws and parts of laws in conflict herewith and providing that if any portion of said Act is unconstitutional or invalid that same shall not affect any other portion, and declaring an emergency."

House Bill No. 149 on Second Reading

On motion of Senator Weinert and by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to third reading:

H. B. No. 149, A bill to be entitled "An Act applicable in the counties

of Mason, Menard, Kerr, Schleicher, Crockett, Sutton, Kimble, Real, Edwards, Blanco, Llano, Kendall, Gillespie, El Paso, Hudspeth, Culberson, Val Verde, Kinney, Maverick, Terrell, Brewster, Harris and Burnet of the State of Texas, requiring a hunting license of any resident citizen of the State hunting in any of said counties with certain exemptions; requiring a fishing license of all persons residing in the State of Texas and fishing in said counties or in any stream forming a part of the boundary line of any of said counties and for such distance of such stream forms a part of the boundary of any of the aforementioned counties; etc., and declaring an emergency."

On motion of Senator Weinert, and by unanimous consent, Senate Rules Nos. 31a and 48 were suspended severally, to permit consideration of the bill at this time.

The President laid the bill before the Senate and it was read second time.

Senator Winfield offered the following amendment to the bill:

Amend House Bill No. 149 by striking from the bill all of Section 6 and by renumbering succeeding sections accordingly.

The amendment was adopted.

The bill was passed to third reading.

House Bill No. 149 on Third Reading

Senator Weinert moved that the constitutional rule, requiring bills to be read on three several days, be suspended and that H. B. No. 149 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Beck	Lemens
Brownlee	Moore
Burns	Neal
Collie	Nelson
Cotten	Newton
Davis	Oneal
Head	Pace
Hill	Rawlings
Holbrook	Redditt
Isbell	Roberts

Shivers	Van Zandt
Small	Weinert
Spears	Westerfeld
Stone	Winfield
Sulak	Woodruff

Nays—1

Aikin

The President then laid the bill before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24

Beck	Pace
Burns	Rawlings
Collie	Redditt
Davis	Roberts
Head	Shivers
Hill	Small
Isbell	Stone
Lemens	Sulak
Moore	Van Zandt
Neal	Weinert
Nelson	Westerfeld
Oneal	Woodruff

Nays—7

Aikin	Newton
Brownlee	Spears
Cotten	Winfield
Holbrook	

House Bill No. 59 on Second Reading

On motion of Senator Collie, and by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to third reading:

H. B. No. 59, A bill to be entitled "An Act validating the proceedings of the County Board of School Trustees of Taylor County in annexing the Iberis Common School District No. 38 of Wylie Consolidated Common School District No. 11; fixing the metes and bounds of Wylie Consolidated Common School District No. 11, Taylor County; validating all proceedings had in an election held on the 26th day of June, 1937, on the proposition of assuming the bonds of Wylie Consolidated Common School District No. 11 issued prior to the formation of the present Wylie Consolidated Common School District No. 11, and on the proposition of issuing \$15,000.00 schoolhouse bonds of said Wylie Consolidated Common

School District No. 11, and declaring and emergency."

The President laid the bill before the Senate.

On motion of Senator Collie, and by unanimous consent, Senate Rule No. 31a was suspended, to permit consideration of the bill at this time.

The bill was read second time and was passed to third reading.

House Bill No. 59 on Third Reading

Senator Collie moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 59 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

The President laid the bill before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

House Bill No. 148 on Second Reading

On motion of Senator Spears, and by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to third reading:

H. B. No. 148, A bill to be entitled "An Act amending Section 19 (f) of Article 3912e, and being Acts of the Second Called Session of the Forty-fourth Legislature, Chapter 465, page 1762, to make adequate provision for the compensation of Court Reporters appointed by the District or Criminal District Attorney in any county having a population in excess of one hundred ninety thousand (190,000), according to the last preceding Federal Census, and declaring an emergency."

The President laid the bill before the Senate.

On motion of Senator Spears and by unanimous consent, Senate Rules Nos. 31a and 48 were suspended severally to permit consideration of the bill at this time.

The bill was read second time and was passed to third reading.

House Bill No. 148 on Third Reading

Senator Spears moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 148 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

The President then laid the bill before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

House Bill No. 164 on Second Reading

On motion of Senator Isbell and by unanimous consent, the regular order of business was suspended, to take up and have placed on its second reading and passage to third reading:

H. B. No. 164, A bill to be entitled "An Act to amend H. B. No. 52, Chapter 18, Acts of the Forty-third Legislature, Fourth Called Session, so as to provide that the governing body of any city, or town having a population of twelve thousand, four hundred and ten (12,410) inhabitants or less, according to the last preceding Federal Census, and owning and operating its municipal waterworks system and municipal light system in this State, in making up the annual appropriations of the income and revenue of waterworks system, electric lights system, etc., shall first provide for maintenance and operating expenses; etc., and declaring an emergency."

The President laid the bill before the Senate.

On motion of Senator Isbell and by unanimous consent, Senate Rules Nos. 31a and 48 were suspended severally, to permit consideration of the bill at this time.

The bill was read second time and was passed to third reading.

House Bill No. 164 on Third Reading

Senator Isbell moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 164 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

The President laid the bill before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—31

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfield
Nelson	Woodruff
Newton	

House Concurrent Resolution No. 50

The President laid before the Senate the following resolution, received from the House today:

H. C. R. No. 50, Relating to establishing a cotton research laboratory.

On motion of Senator Davis, the rule requiring concurrent resolutions to be referred to a committee was suspended and the resolution was considered at this time and was adopted.

Relating to Consideration of House Bill No. 141

Senator Pace moved that Senate Rule No. 98 be suspended, to permit the consideration before the expiration of 48 hours of H. B. No. 141 by the Committee on Finance.

Pending consideration of the motion Senator Shivers occupied the Chair temporarily.

(President in the Chair.)

Senator Shivers moved the previous question on the motion to suspend, and the motion for the previous question was not seconded.

The motion to suspend prevailed by the following vote:

Yeas—20

Beck	Newton
Burns	Oneal
Collie	Pace
Cotten	Redditt
Davis	Shivers
Hill	Small
Holbrook	Spears
Lemens	Sulak
Neal	Van Zandt
Nelson	Westerfeld

Nays—5

Aikin	Weinert
Isbell	Woodruff
Moore	

Present—Not Voting

Brownlee	Stone
Head	Winfield
Rawlings	

Absent

Roberts

Message From the House

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas,
October 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House

to inform the Senate that the House has refused to concur in Senate Amendments to House Bill No. 78 and requests the Senate for the appointment of a Conference Committee to adjust the differences between the two Houses. The following are appointed as conferees on the part of the House

Messrs. Leonard, Celoya, Vale, Leyendecker and Pope.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

At Ease

Senator Pace moved that the Senate stand at ease subject to the call of the President, to permit the Committee on Finance to meet and make a report on H. B. No. 141

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—21

Beck	Newton
Brownlee	Oneal
Burns	Pace
Collie	Redditt
Cotten	Shivers
Head	Spears
Hill	Sulak
Holbrook	Van Zandt
Lemens	Westerfeld
Neal	Winfield
Nelson	

Nays—9

Aikin	Small
Davis	Stone
Isbell	Weinert
Moore	Woodruff
Rawlings	

Absent

Roberts

The Senate accordingly, at 2:50 o'clock p. m., stood at ease subject to the call of the President.

The President called the Senate to order at 3:40 o'clock p. m.

Senate Bill No. 27 on Passage to Engrossment

Senator Davis called S. B. No. 27, the soil conservation bill, from the President's table for further consideration at this time (the bill having

been read second time and tabled subject to call today).

The President laid the bill before the Senate, on its passage to engrossment.

Question—Shall the bill be passed to engrossment?

Messages From the House

A Clerk from the House was recognized to present the following messages:

Hall of the House of Representatives,
Austin, Texas,
October 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the Speaker of the House of Representatives, the Honorable Robert W. Calvert, has sustained a point of order against a Senate amendment by Senator Spears to H. B. No. 23 as not coming within the Governor's Call. The amendment by Senator Spears reads as follows:

"The several departments of state government are hereby authorized and directed to re-adjust their budgets to conform with this reduction of 20%."

The House has refused to concur in Senate Amendments to H. B. No. 23 and requests a Conference Committee to adjust the differences between the two houses. The following conferees have been appointed on the part of the House: Morris, Stinson, Jones of Wise, Anderson and Bell, (with instructions):

1. To insert in the conference report the following:

"To provide funds for the benefit of the aged needy who are dependent, either wholly or partially upon others for support, and who are otherwise qualified under the Constitution to receive Old Age Assistance."

The House has concurred in Senate amendments to H. B. No. 163 by a vote of 132 yeas, no noes.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Hall of the House of Representatives,
Austin, Texas,
October 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the points of order that the provisions of the bills do not come within the Governor's call have been sustained by the Speaker on the following bills:

H. B. No. 17, A bill to be entitled "An Act amending House Bill No. 8, page 2042, Chapter 495, Article 2, Section 3, of the Third Called Session of the Forty-fourth Legislature, more fully defining persons entitled to old age assistance, and declaring an emergency."

H. B. No. 21, A bill to be entitled "An Act for the purpose of releasing the interest penalties and costs on all delinquent ad valorem and poll taxes due the State, any county, city, special school district, school district, road district, levy improvement district, water improvement district and water control and improvement district, irrigation district and other defined subdivisions of the State. Suspending all laws and parts of laws in conflict herewith during the term this Act is in force; and providing further that, if any section, clause, sentence, paragraph, or part of this Act is adjudged to be invalid by any court of final or competent jurisdiction, such judgment shall not affect, impair, or invalidate the remainder of this Act, and declaring an emergency and providing that this Act shall take effect and be in force from and after its passage."

H. B. No. 41, A bill to be entitled "An Act to amend Section 9, Article IV, House Bill No. 8, passed in the Third Called Session of the Forty-fourth Legislature, by providing for a tax of ten (10c) cents on each One Hundred (\$100.00) Dollars or fraction thereof on all notes and sale contracts over the sum of Two Hundred (\$200.00) Dollars executed after the effective date of this Act; providing certain exceptions; providing for the affixing of note stamps to such notes or sales contracts; providing for the method of paying the tax; providing that no note or sales contract shall be a binding obligation

unless the tax is paid; providing the manner in which the said stamps shall be made available; providing for the design and denominations of such stamps; providing that the State Treasurer may send a supply of stamps to the County Clerks of the respective counties; prescribing the duties and compensation of County Clerks in respect thereto; making distribution of the revenue derived from such tax; making the State Treasurer and the County Clerks of this State responsible for the custody and sale of the stamps; providing that the bondsmen of the State Treasurer and the County Clerks shall be liable for the proceeds of the stamps; providing for the engraving or printing of such stamps; authorizing the expenditure of such sums as may be necessary to have an adequate supply of stamps available; making appropriations for carrying out the provisions of the Act, and declaring an emergency."

H. B. No. 93, A bill to be entitled "An Act amending Section 10a of Article II of Chapter 467, Acts of Forty-fourth Legislature, Second Called Session; as amended by Senate Bill No. 20, Acts of the Forty-fifth Legislature, First Called Session, by providing for a local option election for each county to determine whether or not upon the payment of a One Dollar fee any holder of a retail dealer's license or a wine and beer retailer's permit shall be issued a supplementary license authorizing him to sell such beverages during any hour of the day and subject to no restrictions as to the amount of food or other commodities for human consumption sold by such licensee; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 101, A bill to be entitled "An Act excepting suits pending or on appeal at the effective date of House Bill No. 60 of the First Called Session of the Forty-fifth Legislature from the provisions of said Act, and declaring an emergency."

H. B. No. 120, A bill to be entitled "An Act fixing the compensation of official shorthand reporters in District Courts, Criminal District Courts in all counties having a population of more than three hundred and twenty-five thousand (325,000) and

less than three hundred and fifty-five thousand (355,000) inhabitants according to the last preceding or any future Federal Census; providing methods of payments; providing that if any section, paragraph, sentence, clause, phrase or part of this Act be invalid, such invalidity shall not effect the remainder thereof, repealing all laws and parts of laws in conflict to the extent of such conflict only, and declaring an emergency."

H. B. No. 147, A bill to be entitled "An Act to amend Chapter 20 of the Acts of the Third Called Session of the Forty-third Legislature to provide for a secretary and a clerk for the County Judges in all counties having a population of not less than 195,000 and not more than 200,000 according to the last preceding Census of the United States; providing for the salary of such County Judges and authorizing the Commissioner's Court of any such county, on the application of the County Judge, to authorize such County Judge to employ such help and fixing a salary of such employees to be paid out of the General Fund of the county, and declaring an emergency."

H. B. No. 158, A bill to be entitled "An Act to amend Section 3 of Chapter 93, Acts of the Forty-first Legislature, First Called Session, and declaring an emergency."

H. B. No. 162, A bill to be entitled "An Act ratifying, confirming, and validating all acts and orders, and attempted acts and orders, of County School Trustees, Boards of County School Trustees, County Board of Trustees, County Board of School Trustees, Commissioners' Courts, Boards of Trustees of Common Independent and County Line School Districts, and all elections and attempted elections of Common, Independent, and County Line School Districts, relating to the laying out, establishment, combining, abolishing, changing of boundaries, detaching territory from, or annexing territory to, any such school district, except where contests of same may be pending at the time this Act becomes effective, and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives

Hall of the House of Representatives,
Austin, Texas,
October 25, 1937.

Hon. Walter F. Woodul, President of
the Senate.

Sir: I am directed by the House to inform the Senate that the House has refused to concur in Senate Amendments to House Bill No. 133 and requests the Senate for the appointment of a Conference Committee to adjust the differences between the two Houses. The following are appointed as conferees on the part of the House:

Messrs. Metcalfe, London, Brown, Alsup, Patterson of Mills.

The House has concurred in Senate amendments to House Bill No. 149 by a vote of 114 yeas, 9 nays.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Senate Resolution No. 25

Senator Rawlings offered the following privileged resolution:

Whereas, During the consideration of H. B. No. 23 in the Senate, several amendments to the bill were adopted by the Senate, included in which is an amendment by Senator Spears of Bexar County, which provides that the appropriations for the Departments of the State of Texas shall be reduced twenty (20) per cent for the current biennium, and such reductions allocated to certain special funds as set forth in the amendment; and

Whereas, The Speaker of the House has sustained a point of order to said amendment; and

Whereas, The House of Representatives has refused to concur in the other amendments to said bill and has requested the Senate to appoint a conference committee to adjust the differences between the two houses on all of said amendments, except the above named; now, therefore; be it

Resolved, That the Senate decline the request of the House for the appointment of a conference committee to adjust the differences unless and until the request of the House is amended to include all the Senate amendments, so that all of said

amendments may be considered by the conferees; and that the House of Representatives be notified accordingly.

RAWLINGS,
SPEARS.

The resolution was read.

Senator Woodruff moved the previous question on the resolution, and the motion was duly seconded.

The Senate refused to order the main question at this time by the following vote:

Yeas—10

Beck	Lemens
Burns	Pace
Davis	Redditt
Hill	Sulak
Isbell	Woodruff

Nays—19

Aikin	Rawlings
Brownlee	Roberts
Collie	Shivers
Cotten	Small
Head	Spears
Holbrook	Stone
Moore	Weinert
Neal	Westerfeld
Nelson	Winfield
Oneal	

Absent

Newton	Van Zandt
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Pending consideration of the resolution, Senator Small occupied the Chair temporarily.

(President in the Chair.)

Senator Oneal moved to table the resolution.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—10

Burns	Newton
Cotten	Oneal
Hill	Redditt
Isbell	Van Zandt
Lemens	Woodruff

Nays—21

Aikin	Head
Beck	Holbrook
Brownlee	Moore
Collie	Neal
Davis	Nelson

Pace	Stone
Rawlings	Sulak
Roberts	Weinert
Shivers	Westerfeld
Small	Winfield
Spears	

Senator Burns, as a substitute for the resolution, moved that the Senate grant the request of the House for a conference committee on H. B. No. 23.

On motion of Senator Moore, the motion of Senator Burns was tabled subject to call.

Question then recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—21

Aikin	Rawlings
Beck	Roberts
Brownlee	Shivers
Collie	Small
Davis	Spears
Head	Stone
Holbrook	Sulak
Moore	Weinert
Neal	Westerfeld
Nelson	Winfield
Pace	

Nays—10

Burns	Newton
Cotten	Oneal
Hill	Redditt
Isbell	Van Zandt
Lemens	Woodruff

**Conference Committee on House
Bill No. 78**

Senator Neal moved that the request of the House for a conference committee to adjust the differences between the two Houses on H. B. No. 78 be granted.

The motion prevailed.

Accordingly the President appointed the following conferees on the bill on the part of the Senate:

Senators Neal, Holbrook, Weinert, Rawlings and Stone.

**Senate Bill No. 27 on Passage to
Engrossment**

The Senate resumed consideration of pending business, same being S. B. No. 27, the soil conservation bill, on its passage to engrossment.

Senator Brownlee moved the previous question on the passage of the bill to engrossment, and the motion was duly seconded.

The main question was ordered by the following vote:

Yeas—16

Brownlee	Newton
Cotten	Pace
Davis	Shivers
Hill	Van Zandt
Isbell	Weinert
Lemens	Westerfeld
Neal	Winfield
Nelson	Woodruff

Nays—9

Aikin	Moore
Beck	Redditt
Burns	Roberts
Collie	Stone
Holbrook	

Present—Not Voting

Rawlings

Absent—Excused

Head	Spears
Oneal	Sulak
Small	

Question then recurring on the passage of the bill to engrossment, yeas and nays were demanded.

The bill was passed to engrossment by the following vote:

Yeas—17

Aikin	Newton
Brownlee	Oneal
Collie	Pace
Cotten	Spears
Davis	Van Zandt
Isbell	Westerfeld
Lemens	Winfield
Neal	Woodruff
Nelson	

Nays—11

Beck	Head
Burns	Holbrook

Moore	Shivers
Rawlings	Stone
Redditt	Weinert
Roberts	

Absent

Small	Sulak
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Absent—Excused

Hill

Motion to Suspend Constitutional Rule

Senator Davis moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 27 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—21

Aikin	Newton
Brownlee	Oneal
Burns	Pace
Collie	Shivers
Cotten	Spears
Davis	Van Zandt
Head	Weinert
Isbell	Westerfeld
Lemens	Winfield
Neal	Woodruff
Nelson	

Nays—7

Beck	Redditt
Holbrook	Roberts
Moore	Stone
Rawlings	

Absent

Small	Sulak
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Absent—Excused

Hill

Senate Resolution No. 26

Senator Newton, by unanimous consent, offered the following resolution:

Whereas, Dr. N. D. Buie, a member of the State Board of Medical Examiners, a prominent citizen and loyal Democrat of Marlin, Falls County, Texas, is in the Capitol building at present; therefore, be it

Resolved, That he be allowed the privilege of the floor and be invited to address the Senate briefly.

The resolution was read, and by unanimous consent, it was adopted.

The President appointed Senators Newton, Cotten and Holbrook to escort Dr. Buie to the President's stand.

Senator Newton presented Dr. Buie, who addressed the Senate briefly.

Conference Committee on House Bill No. 133

Senator Van Zandt moved that the request of the House for a free conference committee on H. B. No. 133 be granted.

The motion prevailed.

The President announced the appointment of the following conferees on the bill on the part of the Senate: Senators Van Zandt, Aikin, Cotten, Woodruff and Nelson.

Report of Standing Committees

Senator Redditt, by unanimous consent, submitted the following report:

Committee Room,
October 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 141, A bill to be entitled "An Act to amend H. B. No. 463, Acts of the Forty-fifth Legislature of Texas, Regular Session, 1937, by amending Section 7 (a) thereof so as to provide that all eligible obligations on and after January 1, 1938, shall participate in the funds on hand and coming into the County and Road District Highway Fund to the extent of the total amount thereof expended upon State highways less the amount thereof theretofore paid by the State of Texas out of such funds; providing for deposit of future surplus in the State Treasury to the credit of the State Highway Fund; appropriating accumulated surplus funds as of August 31, 1937; expressly repealing S. B. No. 450, Acts of the Forty-fifth Legislature of Texas, Regular Session, 1937; providing that this Act shall take effect on January 1, 1938; repealing all laws

in conflict herewith; and declaring an emergency."

Have had same under consideration, and I am instructed to report it back to the Senate, with the recommendation that it do pass, with committee amendments No. 1 and No. 2, and be not printed.

REDDITT, Chairman.

House Bill No. 74 on Passage to Third Reading

Senator Oneal called from the President's table, on its passage to third reading (the bill heretofore having been read second time and tabled subject to call):

H. B. No. 74, A bill to be entitled "An Act validating, ratifying, and confirming action of Board of Trustees in establishing re-defining, and creating Common School Districts, Independent School Districts, and Rural High School Districts, with certain exceptions; and declaring an emergency."

The President laid the bill before the Senate on its passage to third reading.

Senator Oneal offered the following amendment to the bill:

Amend House Bill No. 74 by striking out all of Section 1 and inserting in lieu thereof the following:

"Section 1. That all common school districts, common consolidated school districts, independent school districts, and rural school districts heretofore created, defined, or redefined since June 1, 1937, by the county board of trustees of the county wherein such school districts are located including those independent school districts to which territory detached from common school districts has been annexed by the county board of trustees of the county in which said school districts are located, are hereby in all things validated, regardless of the fact that they were not properly created, defined, or redefined, or enlarged by such annexation in the first instance, and regardless of the fact there exists no record of their prior creation, and the acts of such county boards in creating, defining, redefining, or attaching additional territory to such districts are hereby in all things

validated, in counties having a population not exceeding 11,400, according to the last preceding United States census."

Question—Shall the amendment be adopted?

Recess

Senator Hill moved that the Senate recess to 8:15 o'clock p. m. today.

Senator Moore moved that the Senate recess to 7:30 o'clock p. m. today.

The motion of Senator Hill prevailed; and the Senate, accordingly, at 5:45 o'clock p. m., took recess to 8:15 o'clock p. m. today.

NIGHT SESSION

The Senate met at 8:15 o'clock p. m., and was called to order by the President.

House Bill No. 74 on Passage to Third Reading

The Senate resumed consideration of pending business, same being H. B. No. 74, validating changes in boundaries of certain school districts, on its passage to third reading; with amendment by Senator Oneal pending.

Senator Winfield offered the following amendment to the amendment:

Amend the amendment by adding thereto:

"Provided, however, that this provision of this Act, shall not apply to Counties having a population of not less than 10,153, nor more than 10,275, according to the 1930 Federal Census."

Senator Moore moved the previous question on the amendment and the passage of the bill to third reading, and the motion was not seconded.

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Head offered the following amendment to the bill:

Amend the bill by adding the following:

"Section 2b: This bill is in all things applicable to counties having a population of not less than 19,000 and not more than 19,110 according to the last Federal Census.

"Section 2c: If any of the provisions of this act or the application thereof to any person or circumstances shall be held to be invalid, the remainder of the Act and the application of such provisions to other persons or circumstances shall not be affected thereby."

The amendment was adopted.

Senator Oneal offered the following amendment to the bill:

Amend H. B. No. 74 by amending the caption to conform with the body of the bill.

The amendment was adopted.

Senator Brownlee offered the following amendment to the bill:

Amend H. B. No. 74 by adding the following:

"Provided that this Act shall not apply to any county in the Twentieth Senatorial District.

The amendment was adopted.

The bill was passed to third reading.

House Bill No. 74 on Third Reading

Senator Oneal moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 74 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Neal
Brownlee	Nelson
Burns	Newton
Collie	Oneal
Cotten	Pace
Davis	Rawlings
Head	Redditt
Hill	Roberts
Holbrook	Shivers
Isbell	Spears
Lemens	Stone

Sulak	Westerfeld
Van Zandt	Winfeld
Weinert	Woodruff

Absent—Excused

Small

The President then laid the bill before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Spears
Head	Stone
Hill	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfeld
Nelson	Woodruff
Newton	

Nays—1

Holbrook

Absent—Excused

Small

(President Pro Tempore Shivers in the Chair.)

Message From the House

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas,
October 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolutions:

S. C. R. No. 12, Authorizing and instructing the Governor to appoint a commission to be known as "The New York World's Fair and San Francisco Golden Gate Exposition Commission for Texas."

S. C. R. No. 13, Authorizing and empowering the State Highway Com-

mission and the Board of County and District Indebtedness to conduct an investigation of the ways and means of reducing the present county and district road indebtedness.

The House has adopted the Conference Committee Report on H. B. No. 69 by a vote of 109 ayes, no noes.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

House Bill No. 103 on Second Reading

The President Pro Tempore laid before the Senate, on its second reading and passage to third reading:

H. B. No. 103, A bill to be entitled "An Act to amend House Bill No. 820 of the Regular Session of the Forty-fifth Legislature and defining certain words and phrases for its purposes; making certain findings and declaring necessity; authorizing cities, towns, counties and other public bodies to aid housing projects of housing authorities or of the United States of America by dedicating, selling, conveying or leasing any of its property to a housing authority or the Federal Government; by causing parks, playgrounds, recreational, community, educational, water, sewer or drainage facilities, or any other works which it is otherwise empowered to undertake, to be furnished adjacent to or in connection with housing projects by furnishing, dedicating, closing, paving, installing, grading, re-grading, planning or re-planning, streets, roads, roadways, alleys, sidewalks, or other places which it is otherwise empowered to undertake; by planning or re-planning, zoning or re-zoning any part of such public body; by making exceptions from building regulations and ordinances; by changing, in the case of any city or town, their maps; by entering into agreement with a housing authority or the Federal Government respecting action to be taken by public bodies pursuant to any of the powers granted by this Act; by doing any and all things necessary or convenient to aid and cooperate in the planning, undertaking, construction or operation of such housing projects; by purchasing or legally investing in any of the bonds of a housing authority and

exercising all of the rights of any holder of such bonds; etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill No. 103 on Third Reading

Senator Spears moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 103 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Oneal
Beck	Pace
Brownlee	Rawlings
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Davis	Spears
Head	Stone
Hill	Sulak
Holbrook	Van Zandt
Isbell	Weinert
Lemens	Westerfeld
Neal	Winfeld
Nelson	Woodruff
Newton	

Absent

Moore

Absent—Excused

Small

The President Pro Tempore then laid the bill before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Beck	Oneal
Brownlee	Pace
Burns	Rawlings
Collie	Redditt
Cotten	Roberts
Davis	Shivers
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Neal	Westerfeld
Nelson	Winfeld
Newton	Woodruff

Nays—1

Aikin

Absent

Moore

Absent—Excused

Small

House Bill No. 38 on Second Reading

The President Pro Tempore laid before the Senate, on its second reading and passage to third reading:

H. B. No. 38, A bill to be entitled "An Act to amend House Bill No. 141, Chapter 427, of the Acts of the Second Called Session of the Forty-fourth Legislature by amending Section 4 thereof by adding a new section to be designated Section 4a further specifying general and specific powers to be had and exercised by the Nueces River Conservation and Reclamation District including the power of condemnation and other specific enumerated powers, but without limitation upon the general or specific powers otherwise conferred upon said District by said House Bill No. 141, Chapter 427, or by the Constitution of Texas, or by any other General or Special Law; etc., and declaring an emergency,"

The bill was read second time and was passed to third reading.

House Bill No. 38 on Third Reading

Senator Roberts moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 38 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Moore
Beck	Neal
Burns	Nelson
Brownlee	Newton
Collie	Oneal
Cotten	Pace
Davis	Rawlings
Head	Redditt
Hill	Roberts
Holbrook	Shivers
Isbell	Spears
Lemens	Stone

Sulak
Van Zandt
Weinert

Westerfeld
Winfeld
Woodruff

Absent—Excused

Small

The President Pro Tempore then laid the bill before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Newton
Beck	Oneal
Brownlee	Pace
Burns	Rawlings
Collie	Redditt
Cotten	Roberts
Davis	Shivers
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	Winfeld
Nelson	Woodruff

Absent—Excused

Small

House Bill No. 135 on Second Reading

The President Pro Tempore laid before the Senate, on its second reading and passage to third reading:

H. B. No. 135, A bill to be entitled "An Act amending Article 3881, Revised Civil Statutes of Texas, 1925, relating to weights of sacks of feeding stuffs, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill No. 135 on Third Reading

Senator Roberts moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 135 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Brownlee
Beck	Burns

Collie	Pace
Cotten	Rawlings
Davis	Redditt
Head	Roberts
Hill	Shivers
Holbrook	Spears
Isbell	Stone
Lemens	Sulak
Moore	Van Zandt
Neal	Weinert
Nelson	Westerfeld
Newton	Winfeld
Oneal	Woodruff

Absent—Excused

Small

The President Pro Tempore then laid the bill before the Senate, on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—21

Beck	Nelson
Burns	Newton
Collie	Oneal
Cotten	Rawlings
Davis	Redditt
Head	Roberts
Hill	Spears
Holbrook	Van Zandt
Lemens	Weinert
Moore	Westerfeld
Neal	

Nays—8

Aikin	Stone
Brownlee	Sulak
Isbell	Winfeld
Shivers	Woodruff

Absent

Pace

Absent—Excused

Small

House Bill No. 20 on Second Reading

The President Pro Tempore laid before the Senate, on its second reading and passage to third reading:

H. B. No. 20, A bill to be entitled "An Act levying additional taxes upon the sale of alcoholic beverages in this State; levying a gross proceeds tax of twenty (20) per cent upon the sales of liquor under a Dispenser's Permit; providing the manner of the collection of said tax; fixing penalties for failure to pay the

State the taxes due thereon; defining the powers and duties of the Texas Liquor Control Board; etc.,"

The bill was read second time.

Senator Moore moved the previous question on the passage of the bill to third reading, and the motion was duly seconded.

The main question was ordered by the following vote:

Yeas—17

Beck	Shivers
Brownlee	Spears
Davis	Stone
Holbrook	Sulak
Moore	Van Zandt
Neal	Weinert
Newton	Westerfeld
Rawlings	Winfeld
Roberts	

Nays—10

Aikin	Hill
Burns	Isbell
Collie	Lemens
Cotten	Oneal
Head	Woodruff

Absent

Nelson	Redditt
Pace	

Absent—Excused

Small

Question then recurring on the passage of the bill to third reading, yeas and nays were demanded.

The bill was passed to third reading by the following vote:

Yeas—16

Brownlee	Shivers
Davis	Spears
Holbrook	Stone
Moore	Sulak
Neal	Van Zandt
Newton	Weinert
Rawlings	Westerfeld
Roberts	Winfeld

Nays—11

Aikin	Isbell
Burns	Lemens
Collie	Nelson
Cotten	Oneal
Head	Woodruff
Hill	

Absent

Beck	Redditt
Pace	

Absent—Excused
Small

Motion to Suspend Constitutional Rule

Senator Moore moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 20 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—16

Brownlee	Shivers
Davis	Spears
Holbrook	Stone
Moore	Sulak
Neal	Van Zandt
Newton	Weinert
Rawlings	Westerfeld
Roberts	Winfield

Nays—11

Aikin	Isbell
Burns	Lemens
Collie	Nelson
Cotten	Oneal
Head	Woodruff
Hill	

Absent

Beck	Redditt
Pace	

Absent—Excused

Small

Motion to Reconsider Vote on House Bill No. 20 Tabled

Senator Moore moved to reconsider the vote by which H. B. No. 20 was passed to third reading.

Senator Weinert moved to table the motion to reconsider.

The motion to table prevailed by the following vote:

Yeas—16

Brownlee	Rawlings
Davis	Roberts
Holbrook	Shivers
Moore	Spears
Neal	Stone
Newton	Sulak

Van Zandt
Weinert

Westerfeld
Winfield

Nays—11

Aikin	Isbell
Burns	Lemens
Collie	Nelson
Cotten	Oneal
Head	Woodruff
Hill	

Absent

Beck	Redditt
Pace	

Absent—Excused

Small

House Bill No. 141 on Second Reading

Senator Van Zandt moved that the regular order of business be suspended, to take up and have placed on its second reading and passage to third reading:

H. B. No. 141, A bill to be entitled "An Act to amend H. B. No. 463, Acts of the Forty-fifth Legislature of Texas, Regular Session, 1937, by amending Section 7 (a) thereof so as to provide that all eligible obligations on or after January 1, 1938, shall participate in the funds on hand and coming into the County and Road District Highway Fund to the extent of the total amount thereof expended upon State highways less the amount thereof theretofore paid by the State of Texas out of such funds; expressly repealing Senate Bill No. 450, Acts of the Forty-fifth Legislature of Texas, Regular Session, 1937; providing that this Act shall take effect on January 1, 1938; repealing all laws in conflict herewith, and declaring an emergency."

The motion prevailed by the following vote:

Yeas—20

Beck	Neal
Brownlee	Nelson
Burns	Newton
Collie	Pace
Cotten	Redditt
Davis	Shivers
Head	Spears
Hill	Van Zandt
Isbell	Westerfeld
Lemens	Winfield

Nays—8

Aikin	Stone
Holbrook	Sulak
Oneal	Weinert
Roberts	Woodruff

Absent

Moore	Rawlings
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Absent—Excused

Small

The President Pro Tempore laid the bill before the Senate.

Senator Van Zandt moved that Senate Rule No. 31a be suspended, to permit consideration of the bill at this time.

The motion prevailed by the following vote:

Yeas—20

Beck	Nelson
Brownlee	Newton
Burns	Oneal
Collie	Pace
Cotten	Redditt
Davis	Shivers
Head	Spears
Hill	Van Zandt
Moore	Westerfeld
Neal	Winfield

Nays—9

Aikin	Stone
Holbrook	Sulak
Isbell	Weinert
Lemens	Woodruff
Roberts	

Absent

Rawlings

Absent—Excused

Small

Senator Van Zandt moved that Senate Rule No. 48 be suspended, to permit consideration of the bill at this time.

The motion prevailed by the following vote:

Yeas—23

Beck	Cotten
Brownlee	Davis
Burns	Head
Collie	Hill

Isbell	Rawlings
Lemens	Redditt
Moore	Shivers
Neal	Spears
Nelson	Van Zandt
Newton	Westerfeld
Oneal	Winfield
Pace	

Nays—7

Aikin	Sulak
Holbrook	Weinert
Roberts	Woodruff
Stone	

Absent—Excused

Small

The bill was read second time.

(President in the Chair.)

Senator Aikin raised a point of order on further consideration of the bill, on the ground that it relates to a subject not submitted for consideration at the current called session of the Legislature.

The President overruled the point of order.

Message From the House

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas,
October 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed by a vote of 112 yeas and 32 nays the following resolution:

H. S. R. No. 56, With reference to the appointment of a conference committee, heretofore requested, with instructions, on H. B. No. 23, to consider the adjustment of the differences between the two Houses on the bill.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Relating to Differences Between
House and Senate on House
Bill No. 23

Senator Woodruff moved that the request of the House for a conference

committee to adjust the differences between the two Houses on H. B. No. 23 be granted.

Senator Rawlings raised a point of order on consideration of the motion, on the ground that the request of the House has already been acted on by the Senate by adoption of S. R. No. 25, refusing to grant the request as made by the House.

The President sustained the point of order.

House Bill No. 141 on Passage to Third Reading

The Senate resumed consideration of H. B. No. 141, relating to the disbursement of the special County and Road District Highway Fund, on its passage to third reading.

Senator Hill called for a full reading of the bill.

Senator Moore objected to the full reading of the bill.

Question—Shall the objection to the full reading of the bill be sustained?

The roll was called, and the objection to the full reading of the bill was sustained by the following vote:

Yeas—17

Beck	Rawlings
Brownlee	Redditt
Burns	Shivers
Davis	Spears
Head	Stone
Isbell	Van Zandt
Moore	Westerfeld
Neal	Winfield
Pace	

Nays—14

Aikin	Newton
Collie	Oneal
Cotten	Roberts
Hill	Small
Holbrook	Sulak
Lemens	Weinert
Nelson	Woodruff

Senator Aikin raised a point of order against further consideration of the bill, on the ground that it attempts to amend a general law by reference to, and by the re-writing of, a single subsection of said law.

The President overruled the point of order.

Senator Van Zandt offered the following (committee) amendments to the bill:

(1)

Amend H. B. No. 141, by striking out the words beginning with "or" in Line 5, page 2 of the original bill, down to and including the word "District" in Line 10, page 2 of said original bill.

(2)

Amend H. B. No. 141 by amending the caption to conform with the body of the bill.

Senator Pace moved the previous question on the (committee) amendments and the motion was duly seconded.

The main question was ordered by the following vote:

Yeas—17

Beck	Nelson
Brownlee	Newton
Burns	Pace
Collie	Redditt
Davis	Spears
Head	Van Zandt
Hill	Westerfeld
Isbell	Winfield
Neal	

Nays—11

Aikin	Shivers
Cotten	Stone
Holbrook	Sulak
Lemens	Weinert
Oneal	Woodruff
Roberts	

Present—Not Voting

Rawlings

Present—Not Voting

Moore Small

The (committee) amendments were adopted severally.

Senator Stone offered the following amendment to the bill:

Amend H. B. No. 141 by adding a new section to be numbered and to read as follows:

"Section No. 2a. It is expressly provided that this Act shall not repeal, modify or amend the terms and

purposes of Senate Bills Nos. 195 and 494 enacted at the Regular Session, Forty-fifth Legislature of 1937, and said Acts shall be and continue in full force and effect notwithstanding this Act."

STONE,
WOODRUFF.

The amendment was adopted.

Senator Aikin offered the following amendment to the bill:

Amend H. B. No. 141 by striking out all of Section 1 after the word Act in line 13 of Section 1 of the enrolled bill and insert in lieu thereof the following:

The participation of each issue of eligible bonds shall be increased in an amount equal to that which the state was eligible to pay but was unable to pay on principal and sinking fund requirements for the years 1933 to 1937, inclusive.

It is the express intention of the Legislature that nothing herein contained shall be construed as enlarging or broadening the scope of bonds eligible to participate in the provisions of this Act and the eligibility of bonds shall remain as determined by the Board for County and District Road Indebtedness under the terms of the original bond assumption law and under subsequent re-enactments. The legislative intent in the passage of this Act is to increase the percentage of participation on eligible bonds insofar as the state was unable to pay under the terms of the original assumption Act.

Senator Collie moved the previous question on the amendment and the passage of the bill to third reading, and the main question was ordered.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—13

Aikin	Shivers
Brownlee	Stone
Cotten	Sulak
Holbrook	Weinert
Isbell	Winfield
Moore	Woodruff
Roberts	

Nays—18

Beck	Collie
Burns	Davis

Head	Pace
Hill	Rawlings
Lemens	Redditt
Neal	Small
Nelson	Spears
Newton	Van Zandt
Oneal	Westerfeld

Senator Holbrook moved to reconsider the vote by which the main question was ordered on the passage of the bill to third reading.

Yeas and nays were demanded on the motion, the roll was called and the vote announced, yeas 15, nays 15.

The President voted yea, and the motion to reconsider prevailed by the following vote:

Yeas—16

Mr. President	Nelson
Aikin	Oneal
Brownlee	Rawlings
Head	Roberts
Hill	Shivers
Holbrook	Stone
Isbell	Weinert
Lemens	Woodruff

Nays—15

Beck	Redditt
Burns	Small
Collie	Spears
Cotten	Sulak
Davis	Van Zandt
Neal	Westerfeld
Newton	Winfield
Pace	

Absent

Moore

On motion of Senator Holbrook, and by unanimous consent, it was ordered that the amendment by Senators Stone and Woodruff as adopted be changed to include the words and figures "Senate Bill No. 218" after the figures "195" in the amendment.

Senator Woodruff offered the following amendment to the bill:

Amend H. B. No. 141 by adding:

Section 2a. This Act shall not be in effect until March 1, 1939.

Senator Davis moved the previous question on amendment and the passage of the bill to third reading.

Senator Lemens called for a division of the question.

The main question was ordered on the amendment by the following vote:

Yeas—19

Beck	Neal
Brownlee	Newton
Burns	Pace
Collie	Rawlings
Cotten	Redditt
Davis	Small
Head	Spears
Isbell	Van Zandt
Lemens	Westerfeld
Moore	

Nays—11

Aikin	Shivers
Hill	Stone
Holbrook	Sulak
Nelson	Weinert
Oneal	Winfield
Roberts	

Present—Not Voting

Woodruff

The main question then was ordered on the passage of the bill to third reading by the following vote:

Yeas—20

Beck	Neal
Brownlee	Newton
Burns	Pace
Collie	Rawlings
Cotten	Redditt
Davis	Small
Head	Spears
Holbrook	Stone
Lemens	Van Zandt
Moore	Westerfeld

Nays—10

Aikin	Roberts
Hill	Shivers
Isbell	Sulak
Nelson	Weinert
Oneal	Winfield

Present—Not Voting

Woodruff

Motion to Reconsider Vote on S. R. No. 25

Senator Aikin moved to reconsider the vote by which S. R. No. 25 (refusing the request of the House for a conference committee on H. B. No. 23) was adopted and to grant the request of the House for a conference committee on the bill.

Senator Moore raised a point of order on consideration of the motion of Senator Aikin at this time, on the ground that it is not in order to make or consider the motion until the vote has been taken on the questions on which the main question has been ordered.

The President sustained the point of order.

House Bill No. 141 on Passage to Third Reading

Question recurred—Shall the amendment of Senator Woodruff to H. B. No. 141 be adopted?

Senator Sulak raised a point of order on further consideration of the bill, on the ground that the hour has arrived, after which a vote may not be taken on the passage of the bill.

The President sustained the point of order.

House Concurrent Resolution No. 29

On motion of Senator Moore and by unanimous consent, the regular order of business was suspended, to take up for consideration at this time:

H. C. R. No. 29, Granting the Tyler Pipe Line Company permission to sue the State of Texas.

The President laid the resolution before the Senate, and it was adopted.

House Concurrent Resolution No. 44

The President laid before the Senate, for consideration at this time:

H. C. R. No. 44, Granting Russ Mitchell, Incorporated, permission to sue the State.

The resolution was adopted.

House Bill No. 74 on Final Passage

Senator Head moved to reconsider the vote by which H. B. No. 74 was passed.

The motion to reconsider prevailed.

The President laid the bill before the Senate, on its final passage.

Senator Head moved to amend the

bill by deleting the matter inserted therein on its passage to third reading by the adoption of the amendment offered by himself.

The motion prevailed.

The bill was passed by the following vote:

Yeas—29

Aikin	Pace
Beck	Rawlings
Brownlee	Redditt
Burns	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Isbell	Sulak
Lemens	Van Zandt
Moore	Weinert
Neal	Westerfeld
Nelson	Winfield
Newton	Woodruff
Oneal	

Nays—2

Collie	Holbrook
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Senate Concurrent Resolution No. 15

Senator Pace offered the following resolution:

Be it resolved by the Senate, the House of Representatives concurring, That Joint Rule No. 9 be suspended so that the Senate may consider and finally pass House Bill No. 141.

Senator Van Zandt moved the previous question on the resolution and the motion was duly seconded.

The Senate refused to order the main question at this time by the following vote:

Yeas—15

Beck	Oneal
Burns	Pace
Collie	Redditt
Cotten	Shivers
Davis	Van Zandt
Hill	Westerfeld
Lemens	Woodruff
Nelson	

Nays—15

Aikin	Isbell
Brownlee	Moore
Head	Neal
Holbrook	Newton

Roberts	Sulak
Small	Weinert
Spears	Winfield
Stone	

Present—Not Voting

Rawlings

Senator Moore offered the following amendment to the resolution:

Amend by adding H. B. No. 20.

Senator Hill raised the point of order that the amendment is not germane to the resolution.

The President overruled the point of order.

Yeas and nays were demanded, and the amendment was adopted by the following vote:

Yeas—17

Brownlee	Shivers
Davis	Spears
Holbrook	Stone
Moore	Sulak
Neal	Van Zandt
Newton	Weinert
Pace	Westerfeld
Rawlings	Winfield
Roberts	

Nays—13

Aikin	Isbell
Beck	Lemens
Burns	Nelson
Collie	Oneal
Cotten	Redditt
Head	Woodruff
Hill	

Absent

Small

Question—Shall the resolution as amended be adopted?

Adjournment

Senator Weinert moved that the Senate adjourn until 10:00 o'clock a. m., October 26, 1937.

Senator Pace moved that the Senate recess until 10:00 o'clock a. m., October 26, 1937.

Question first recurring on the motion to adjourn, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—23

Aikin	Nelson
Brownlee	Oneal
Burns	Rawlings
Collie	Roberts
Cotten	Shivers
Davis	Small
Head	Spears
Hill	Stone
Holbrook	Sulak
Isbell	Weinert
Lemens	Winfield
Neal	

Nays—8

Beck	Redditt
Moore	Van Zandt
Newton	Westerfeld
Pace	Woodruff

The Senate, accordingly, at 12:15 o'clock a. m., Tuesday, October 26, 1937, adjourned until 10:00 o'clock a. m., Tuesday, October 26, 1937.

APPENDIX

Reports of Standing Committees

Committee Room,
October 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, beg to report we have carefully examined, compared and read Senate Concurrent Resolutions Nos. 4 and 7, and find same correctly enrolled.

WESTERFELD, Chairman.

Committee Room,
October 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, beg to report we have carefully examined, compared and read Senate Bills Nos. 9 and 13, and find same correctly enrolled.

WESTERFELD, Chairman.

Committee Room,
October 22, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

H. B. No. 81, A bill to be entitled

"An Act amending Article 4782 Revised Civil Statutes, 1925; repealing all laws or parts of laws in conflict herewith; providing that provisions hereof shall not affect Acts, Forty-first Legislature, First Called Session, 1929, Chapter 40 as amended by Acts, Forty-first Legislature, 1929, Second Called Session, Chapter 60, and declaring an emergency,"

Have had the same under consideration and wish to report it back to the Senate with the recommendation that it do pass with committee amendments and be not printed.

COLLIE, Chairman.

Committee Room,
October 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

H. B. No. 142,

Have had same under consideration and beg to report same back with the recommendation that it do pass, and be not printed.

COTTEN, Chairman.

Committee Room,
October 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 148, A bill to be entitled "An Act amending Section 19 (f) of Article 3912E, also known as Section 19 (f) of Acts of the Second Called Session of the Forty-fourth Legislature, Chapter 465, Page 1762, to make adequate provision for the compensation of court reporters appointed by the district or criminal district attorney in any county having a population of not less than two hundred and ninety thousand (290,000) nor more than three hundred and twenty thousand (320,000) inhabitants according to the last preceding Federal Census; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SPEARS, Chairman.

Committee Room,
October 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 163, A bill to be entitled "An Act providing the time when mourning doves and white-winged doves may be shot in Collin, Dallas, Delta, Denton, Franklin, Haskell, Hopkins, Hunt, Jack, Johnson, Kaufman, Montague, Parker, Rockwall, and Wise Counties making certain exceptions; fixing the bag limit and possession limit of same; fixing the hours for shooting and making regulations for shotguns that may be used for shooting migratory birds and other game birds; providing a penalty for the violation of any such regulations; repealing all laws in conflict with any section of this Act; and declaring an emergency,"

Have had same under consideration and beg to report back with the recommendation that it do pass, with the attached committee amendment, and that same be not printed.

WEINERT, Chairman.

Committee Room,
October 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. C. R. No. 29, Granting Tyler Pipe Line Company permission to sue the State for recovery of payment of excessive franchise taxes,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

PACE, Chairman.

Committee Room,
October 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. C. R. No. 44, Granting Russ Mitchell Incorporated, permission to sue the State and State Highway Department on contract,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

PACE, Chairman.

Committee Room,
October 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. C. R. No. 14, Granting Charles Workman permission to sue the State and State Highway Department for personal injuries while employed by Highway Department,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

PACE, Chairman.

Committee Room,
October 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 149, A bill to be entitled "An Act applicable in the counties of Blanco, Brewster, Burnet, Crockett, Culberson, Edwards, El Paso, Gillespie, Hudspeth, Kendall, Kerr, Kimble, Kinney, Llano, Mason, Maverick, Menard, Real, Schleicher, Sutton, Terrell, and Val Verde of the State of Texas; requiring a hunting license of any resident citizen of the State hunting in any of said counties with certain exemptions; requiring a fishing license of all persons residing in the State of Texas and fishing in said counties or in any stream forming a part of the boundary line of any of said counties and for such distance as such stream forms a part of the boundary of any of the aforementioned counties; with certain exemptions; levying a tax of ten (10) per cent on the amount paid for the privilege of hunting on a shooting preserve; designating operators of shooting preserves agents of the Game, Fish and Oyster Commission of the State of Texas for the collection of said tax; and requiring such agents to remit to the Commission ten (10)

per cent of all amounts collected by the owners or operators of such shooting preserves from persons hunting on such preserves; defining a shooting preserve; and requiring a report from such operators; providing for the remittance to the Game, Fish and Oyster Commission of all funds collected under the provisions of this Act and providing for disposition of same; providing regulations relating to fishing and the sale of fish and of hunting in such counties; providing suitable penalties for the violation of any provision of this Act; repealing all laws in so far as they conflict with any of the provisions of this Act; providing a rule of construction; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

WEINERT, Chairman.

Committee Room,
October 23, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 164, A bill to be entitled "An Act to amend House Bill No. 52, Chapter 18, Acts of the Forty-third Legislature, Fourth Called Session, so as to provide that the governing body of any city or town having a population of twelve thousand, four hundred and ten (12,410) inhabitants or less, according to the last preceding Federal Census, and owning and operating its municipal light system and municipal waterworks system in this state, in making up the annual appropriations of the income and revenue of any waterworks system, service, or other public utility system, service, or enterprise, now or hereafter owned and operated by any such city or town, shall first provide for maintenance and operating expenses of such system, service, or enterprise, shall then provide for payment of principal and interest of any indebtedness outstanding against such system, service, or enterprise, and may then make such appropriations as remaining income and revenue of such system, service, or enterprise may justify, to be appro-

priated among respective departments of the municipal government, or otherwise appropriated for public uses, as such governing body may deem best, etc.,"

Have had same under consideration, and I am instructed to report it back to the Senate, with the recommendation that it do pass, and be not printed.

PACE, Chairman.

Committee Room,
October 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 144, A bill to be entitled "An Act amending Section 10, Chapter 246, Acts of the Forty-fourth Legislature of Texas, providing for the forfeiture of unlawful oil and unlawful oil products, the sale thereof and the disposition of the proceeds therefrom and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

PACE, Chairman.

Committee Room,
October 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. C. R. No. 32, Authorizing the Live Stock Sanitary Commission to dispose of certain wire fence between the States of Texas and Louisiana,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PACE, Chairman.

Committee Room,
October 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 76, A bill to be entitled "An Act regulating the size of Sea

Drum or Black Drum to be sold, offered for sale, or possessed in this State; providing that any legal size salt water fish may be filleted for the purpose of freezing and selling to market in a frozen condition; providing how such fish shall be measured with or without the heads; providing for places of venue in cases for violations; providing for a penalty for violations of this Act; repealing all laws in conflict herewith; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WEINERT, Chairman.

Committee Room,
October 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 80, A bill to be entitled "An Act placing a closed season on shrimp in the inland salt waters of this State from and between the 1st day of July to the 15th day of August or from and between the 25th day of December and the 15th day of March of any year; providing that shrimp may be taken at any time of the year, with certain tackle, for bait; providing a penalty for violations of this Act; providing for the seizing of tackle for evidence; repealing Section 1-D of Article 941 and all laws in conflict herewith; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

WEINERT, Chairman.

Committee Room,
October 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

S. B. No. 28, A bill to be entitled "An Act to amend Paragraph (4) of Article 2350, Title 44, of the Re-

vised Civil Statutes of the State of Texas, 1925, as added by the Acts of 1937, Forty-fifth Legislature, House Bill No. 765, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

SPEARS, Chairman.

October 22, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Enrolled Bills, beg to report we have carefully examined, compared and read S. B. No. 11, and find same correctly enrolled.

WESTERFELD, Chairman.

October 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, beg to report we have carefully examined, compared and read Senate Bills Nos. 15 and 23, and find same correctly engrossed.

ROBERTS, Chairman.

October 25, 1937.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, beg to report we have carefully examined, compared and read Senate Concurrent Resolutions Nos. 8 and 10, and find same correctly engrossed.

ROBERTS, Chairman.

SIXTEENTH DAY

(Tuesday, October 26, 1937)

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Woodul.

The roll was called, and the following Senators were present:

Aikin	Cotten
Beck	Davis
Brownlee	Head
Burns	Hill
Collie	Holbrook